

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY BOGOTA PRIORITY

CONFIDENTIAL STATE 211344

FOR AMBASSADOR ASENCIO FROM AMBASSADOR VAKY

E.O. 11652: GDS

TAGS: PBOR, CO, NI

SUBJECT: QUITA SUENO TREATY

1. AS YOU WILL RECALL FROM OUR BREAKFAST MEETING WITH FOREIGN MINISTER LIEVANO, I UNDERTOOK TO SEE IF WE COULD REACH AGREEMENT ON THE ALTERNATE LANGUAGE THAT HE PROPOSED FOR THE QUITA SUENO RESOLUTION. LIEVANO WANTED TO SUBSTITUTE QUOTE CONFER RIGHTS OR IMPOSE OBLIGATIONS UNQUOTE IN PLACE OF QUOTE PREJUDICE THE CLAIMS OF UNQUOTE.

2. AFTER CONSULTING WITH DEPARTMENT LAWYERS AND DOCKERY OF THE SENATE FOREIGN RELATIONS COMMITTEE, WE BELIEVE THAT IT IS FEASIBLE TO USE A COMBINATION OF U.S. AND COLOMBIAN LANGUAGE IN THE RESERVATION. THE RESOLUTION WOULD READ AS FOLLOWS:

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QUOTE RESOLVED (TWO-THIRDS OF THE SENATORS PRESENT CONCURRING THEREIN), THAT THE SENATE ADVISE AND CONSENT TO THE RATIFICATION OF THE TREATY CONCERNING THE STATUS OF QUITA SUENO, RONCADOR AND SERRANA, SIGNED AT BOGOTA ON SEPTEMBER 8, 1972, SUBJECT TO THE UNDERSTANDING THAT THE PROVISIONS OF THE TREATY DO NOT CONFER RIGHTS OR IMPOSE

OBLIGATIONS UPON, OR PREJUDICE THE CLAIMS OF, THIRD STATES.

IT IS FURTHER UNDERSTOOD THAT THE U.S. AND COLOMBIA AS WELL AS OTHER NATIONS IN THE HEMISPHERE ARE OBLIGATED UNDER THE CHARTERS OF THE UNITED NATIONS AND THE ORGANIZATION OF AMERICAN STATES TO RESOLVE THEIR DIFFERENCES PEACEFULLY, AND, AS SET FORTH IN SENATE RESOLUTION 93-74 (THE CRANSTON RESOLUTION), STATES MAY CONTRIBUTE TO THE DEVELOPMENT OF INTERNATIONAL PEACE THROUGH LAW BY SUBMITTING TERRITORIAL DISPUTES TO THE INTERNATIONAL COURT OF JUSTICE OR OTHER IMPARTIAL PROCEDURES FOR BINDING DISPUTE SETTLEMENT UNQUOTE.

3. WE NEED TO INCLUDE THE LANGUAGE REGARDING PREJUDICING THE CLAIMS OF THIRD STATES IN ORDER FOR THE RESOLUTION TO BE ACCEPTABLE TO THE MEMBERS OF THE FOREIGN RELATIONS COMMITTEE.

4. PLEASE CONSULT WITH LIEVANO AND ELICIT HIS VIEWS ON THIS LATEST FORMULATION. YOU WILL REMEMBER THAT HE AGREED TO ACCEPT THE REST OF THE RESOLUTION, HIS ONLY CONCERN BEING THE AFOREMENTIONED PHRASE. VANCE

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